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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Charles W.  
GARDNER, Jr. et al.

Serial No.: 10/823,902 Examiner: F. Evans

Filed: 14 April 2004 Group Art Unit: 2877

For: METHOD FOR DETECTION OF PATHOGENIC  
MICROORGANISMS

## CERTIFICATE UNDER 37 CFR 1.8(a)

I, SAMUEL W. APICELLI, REGISTRATION  
NO. 36,427, HEREBY CERTIFY THAT THIS  
CORRESPONDENCE IS BEING DEPOSITED WITH THE  
UNITED STATES POSTAL SERVICE AS FIRST CLASS  
MAIL IN AN ENVELOPE ADDRESSED TO  
COMMISSIONER FOR PATENTS, P.O. Box 1450,  
Alexandria, VA 22313-1450

ON September 17, 2004

SAMUEL W. APICELLI

## INFORMATION DISCLOSURE STATEMENT

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty of Disclosure set forth in 37 CFR 1.56, the materials listed on the enclosed form PTO-1449 are hereby brought to the attention of the Examiner. A copy of each is enclosed.

This Information Disclosure Statement is submitted after three months from the filing date of the above-identified U.S. application and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to the issuance of any Final Action, Notice of Allowance, or Action closing prosecution sent in such application. The fee required under 37 C.F.R. §1.97(c) and §1.17(p) is submitted herewith.

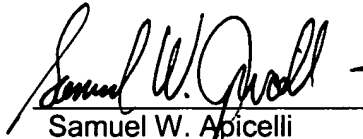
Serial No. 10/823,902

The claimed invention is patentable over the enclosed references. No representations are made regarding the references other than those set forth above.

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Respectfully submitted,

Date: 9/17/04



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Samuel W. Apicelli  
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305 North Front Street, P.O. Box 1003  
Harrisburg, PA 17108-1003  
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SWA/tmf  
Docket No. E2079-00006



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SAMUEL W. APICELLI  
Samuel W. Apicelli

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

- ☒ Information Disclosure Statement, PTO-1449 and references.
- ☒ The Commissioner is hereby authorized to debit Deposit Account No. 04-1679.  
This Transmittal Letter is submitted in duplicate.
- ☒ Return Postcard

Respectfully submitted,

Date: 9/17/04

Samuel W. Apicelli

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Docket No.: E2079-00006

Form PTO-1449 U.S. Department of  
Commerce Patent and Trademark Office  
INFORMATION DISCLOSURE  
STATEMENT  
IN AN APPLICATION  
(Use several sheets if necessary)

Docket No. E2079-00007

Serial No. 10/823,902

Applicant: Charles W. GARDNER, Jr. et al.

Filing Date: 14 April 2004

Group Art Unit 2877

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,880,052	Nov. 1989	Meyer, IV et al.			
	5,194,912	March 1993	Batchelder et al.			
	5,377,004	Dec. 1994	Owen et al.			
	5,442,438	Aug. 1995	Batchelder et al.			
	5,528,393	June 1996	Sharp et al.			
	5,539,517	July 1996	Cabib et al.			
	5,623,342	April 1997	Baldwin et al.			
	5,689,333	Nov. 1997	Batchelder et al.			

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
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					<input type="checkbox"/>	<input type="checkbox"/>

## OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

	Mário R. Caetano et al.; <i>Evaluation of the Importance of Non-Linear Spectral Mixing in Coniferous Forests</i> ; September 1998; SPIE Vol. 3499; pp 257 – 269
	<i>Remote Sensing for Agriculture, Ecosystems, and Hydrology</i> ; September 22 – 24, 1998; SPIE Vol. 3499
	G. T. Rasmussen et al.; <i>Library Retrieval of Infrared Spectra Based on Detailed Intensity Information</i> ; November 4, 1979; <i>Applied Spectroscopy</i> ; Vol. 33, pp. 371 – 376
	Jean Guilment et al.; <i>Infrared Chemical Micro-Imaging Assisted by Interactive Self-Modeling Multivariate Analysis</i> ; November 3, 1994; <i>Applied Spectroscopy</i> ; Vol. 48, pp. 320 – 326
	Edmund R. Malinowski; <i>Factor Analysis In Chemistry</i> ; 1991; second edition; published by John Wiley & Sons, Inc.
	William H. Press et al.; <i>Numerical Recipes in C, The Art of Scientific Computing</i> ; Second Edition; originally published 1992 – latest publication date 2002; published by Press Syndicate of the University of Cambridge

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket No. E2079-00007	Serial No. 10/823,902
	Applicant: Charles W. GARDNER, Jr. et al.	
	Filing Date: 14 April 2004	Group Art Unit 2877

## U.S. PATENT DOCUMENTS

*EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,710,626	Jan. 1998	O'Rourke et al.			
	5,862,273	Jan. 1999	Pelletier			
	5,866,430	Feb. 1999	Grow			
	5,901,261	May 1999	Wach			
	5,911,017	June 1999	Wach et al.			
	6,002,476	Dec. 1999	Treado			
	6,717,668	April 2004	Treado et al.			
	6,734,962	May 2004	Treado et al.			
	US 2003/0004419 A1	Jan. 2003	Treadeo et al.			
	US 2003/0018272 A1	Jan. 2003	Treado et al.			

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

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